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Co-Counsel to the WHC Liquidation Trust

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JEREMY ROSENTHAL, AS LIQUIDATION
 TRUSTEE OF THE WHC LIQUIDATION
 TRUST,

Plaintiff,

v.

HALSEN HOLDINGS, LLC, a California
 limited liability company; SOUTH TEXAS
 ASSOCIATES & RESOURCES, a California
 corporation; PENINSULA HEALTHCARE
 MANAGEMENT LLC, a Nevada limited
 liability company; DANIEL BROTHMAN, an
 individual; EDITH BROTHMAN, an
 individual; STACY SEAN FOWLER, an
 individual; EDMUND C. KING, an
 individual; and DOES 1 through 100,
 inclusive,

Defendants.

Case No. 5:23-cv-06216-EKL

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE
 STATEMENT DEADLINE &
 [PROPOSED] ORDER**

FOURTH REQUEST FOR EXTENSION

Courtroom: 7
 Judge: Eumi K. Lee

Complaint Filed: December 1, 2023
 Trial Date: None

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Jeremy Rosenthal (“Plaintiff”), in his capacity as the Liquidation Trustee of the WHC Liquidation Trust and representative of the bankruptcy estates of Watsonville Hospital Corporation (“WHC”) and certain of its affiliates (collectively with WHC, the “Debtors”) and Defendants Halsen Holdings, LLC, South Texas Associates & Resources, Peninsula Healthcare Management LLC, Daniel Brothman, Edith Brothman, Stacy Sean Fowler, and Edmund C. King (“Defendants”) (collectively, the “Parties”) hereby stipulate and agree as follows:

WHEREAS, on August 20, 2024, this Court reassigned this case to the Honorable Eumi K. Lee, reset the deadline for the Parties to file their Joint Case Management Conference Statement from August 22, 2024 to September 16, 2024, and vacated the Initial Case Management Conference (“CMC”) set for September 5, 2024 (Dkt. 37);

WHEREAS, the Parties engaged in a mediation on August 28, 2024 and reached a settlement in principle subject to documentation and obtaining approval of the proposed settlement by either (a) the United States Bankruptcy Court for the Northern District of California in Case No. 21-51477 (jointly administered) (“Bankruptcy Court”) or (b) the Oversight Committee appointed pursuant to the plan of liquidation confirmed in the Debtors’ chapter 11 bankruptcy cases;

WHEREAS, on October 15, 2024, the Parties entered into a binding settlement agreement which requires, as a condition to going effective, that its terms be approved by the Bankruptcy Court or the Oversight Committee;

WHEREAS, the Parties request an extension of the Joint Case Management Conference Statement deadline until November 18, 2024 to provide the Parties with additional time required to seek approval of the settlement agreement from the Bankruptcy Court or Oversight Committee and to conserve the time and resources of the Court and the Parties;

WHEREAS, on December 4, 2024, this Court entered an Initial Scheduling Order (Dkt. 5), scheduling the Initial CMC for March 5, 2024;

WHEREAS, on January 18, 2024, the clerk reset the date of the CMC for March 14, 2024 following reassignment (Dkt. 14);

1 WHEREAS, on February 5, 2024, the Court granted, as modified, the Parties' joint request
2 for extension of case management deadlines, setting the CMC to May 16, 2024 (Dkt. 16);

3 WHEREAS, on May 7, 2024, the clerk continued the CMC to June 13, 2024 (Dkt. 27);

4 WHEREAS, on June 11, 2024, the Court granted a stipulation to continue the Case
5 Management Conference to September 5, 2024 (Dkt. 33);

6 WHEREAS, on September 16, 2024, the Court granted a stipulation to continue the Case
7 Management Conference Statement deadline until October 16, 2024 (Dkt. 39);

8 WHEREAS, there have been no other time modification requests in this case;

9 WHEREAS, the requested time modification would not have any effect on the schedule for
10 the case because the Court: (1) vacated all pretrial conference and trial dates before December 4,
11 2024 (Dkt. 37); and (2) ordered that all pretrial conference and trial dates after December 4, 2024
12 will remain in place (Dkt. 37) and no pretrial conference or trial dates have been set after December
13 4, 2024;

14 WHEREAS, the Court has not stated that no further extensions will be granted;

15 WHEREAS, Plaintiff has filed a Declaration in support of this Stipulation as required under
16 Local Rule 6-2(a).

17 **IT IS SO STIPULATED.**

18 Dated: October 16, 2024

PERKINS COIE LLP

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24 *Counsel to Plaintiff*
25 *Jeremy Rosenthal, as Liquidation*
Trustee of the WHC Liquidation Trust

1 Dated: October 16, 2024

KAUFMAN DOLOWICH, LLP

3 By: /s/ Tad A. Devlin

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8 *Counsel to Defendants*
9 *Halsen Holdings, LLC, South Texas*
10 *Associates & Resources, Peninsula*
11 *Healthcare Management, LLC, Daniel*
12 *Brothman, Edith Brothman, Stacy Sean*
13 *Fowler, and Edmund C. King*

11 **Attestation Pursuant to Civil Local Rule 5-1(i)(3)**

12 I, Paul S. Jasper, attest that concurrence in the filing of this document has been obtained
13 from any other signatory to this document.
14

15 Dated: October 16, 2024

/s/ Paul S. Jasper

16 Paul S. Jasper, Bar No. 200138

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20 Dated: _____, 2024

21 Hon. Eumi K. Lee
22 United States District Judge
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